

Yw



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/647,999

08/26/2003

John H. Yoakum

7000-285

3327

27820

7590

04/20/2005

WITHROW & TERRANOVA, P.L.L.C.

P.O. BOX 1287

CARY, NC 27512

EXAMINER

BRINEY III, WALTER F

ART UNIT

PAPER NUMBER

2644

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/647,999

Applicant(s)

YOAKUM ET AL.

Examiner

Walter F Briney III

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. **Claims 1-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Strathmeyer et al. (US Patent Application Publication 2004/0120502).**

Claim 1 is limited to a *method of facilitating speed dialing*. Strathmeyer discloses a method and apparatus for implementing call processing packet telephony networks. See Abstract. Figure 2 depicts the basic steps required for terminating a call setup request to a virtual telephone address over a packet-based network. In step (220), a softswitch device (125) of figure 1 receives a call initiation request from a gateway (120), including a telephone address, for example, a telephone number, entered by a user at one of devices (110A), (110B), or (110C), i.e. *traditional telephony devices*. See paragraphs 43, 44, and 64. This telephone number corresponds to a *speed dial code* as it represents a shorthand representation of a URL that corresponds directly to the virtual telephone address. As stated in paragraph 44, the softswitch (125) translates/resolves the telephone number into the aforementioned URL, i.e. *accessing an address corresponding to a seed dial code*. Upon resolving the telephone number into the URL, the softswitch (125) forwards the call initiation request including the URL

to call control proxy server (130) to complete the call setup as seen in steps 225-235, i.e. *sending a session initiation request including the address to initiate a voice session between a called party terminal associated with the address and the traditional telephony device*. Therefore, Strathmeyer anticipates all limitations of the claim.

Claim 2 is limited to *the method of claim 1*, as covered by Strathmeyer.

Strathmeyer discloses in paragraph 44 that the softswitch (125) initially receives an SIP invite message including the dialed telephone number, i.e. *speed dial code*. Therefore, Strathmeyer anticipates all limitations of the claim.

Claim 3 is limited to *the method of claim 2*, as covered by Strathmeyer. It is clear from figure 1 that the SIP invite message, i.e. session initiation request, received by the softswitch (125) is transmitted from the gateway device (120), i.e. *terminal adapter*, which translates PSTN signaling into packet signaling. See paragraphs 41 and 63. Therefore, Strathmeyer anticipates all limitations of the claim.

Claim 4 is limited to *the method of claim 2*, as covered by Strathmeyer. As indicated by Strathmeyer in paragraph 44, the softswitch (125) receives an SIP invite message, which inherently includes a first field designated as the called party address. The softswitch (125) is stated as resolving the address received in the initial invite message received by the gateway (120), so it follows that the telephone number, i.e. *speed dial code*, entered by the caller is actually in *a first field intended to contain the address*. Therefore, Strathmeyer anticipates all limitations of the claim.

Claim 5 is limited to *the method of claim 4*, as covered by Strathmeyer. Since softswitch (125) must resolve the address within the received invite message from

gateway (120), it inherently *determines that the first field of the initial session request includes the telephone number, i.e. speed dial code, instead of the address.* See paragraph 44. Therefore, Strathmeyer anticipates all limitations of the claim.

Claim 6 is limited to *the method of claim 5*, as covered by Strathmeyer.

Strathmeyer discloses in paragraph 44 translating the called telephone number, i.e. *speed dial code*, received by the caller using softswitch (125), such that *the telephone number, i.e. speed dial code, in the initial session initiation request is replaced with the address to create the session initiation request.* Therefore, Strathmeyer anticipates all limitations of the claim.

Claim 7 is limited to *the method of claim 6*, as covered by Strathmeyer. Clearly, the proxy and ACD circuitry can handle many session initiation requests from a plurality of users, such that a second session initiation request is handled in the same manner as the first, i.e. *receiving a second session initiation request and sending the second request to initiate a second voice session.* Therefore, Strathmeyer anticipates all limitations of the claim.

Claim 8 is limited to *the method of claim 1*, as covered by Strathmeyer.

Strathmeyer discloses in paragraph 44 using a database lookup in order to resolve the telephone number into a URL, where a database query inherently comprises a *request* and *reception* step. Therefore, Strathmeyer anticipates all limitations of the claim.

Claim 9 is limited to *a method of facilitating speed dialing* that encompasses essentially the same subject matter as claim 2, as covered by Strathmeyer, and is rejected for the same reasons.

Claim 10 is limited to essentially the same subject matter as claim 4, as covered by Strathmeyer, and is rejected for the same reasons.

Claim 11 is limited to *the method of claim 9*, as covered by Strathmeyer. Strathmeyer clearly depicts in figure 1 receiving a dialed telephone number from a caller over the PSTN using an analog telephone, inherently requiring that the telephone number, i.e. *speed dial code*, is received in the form of *dialed digits over a traditional telephony line*. See paragraph 34. Therefore, Strathmeyer anticipates all limitations of the claim.

Claim 12 is limited to *a system for facilitating speed dialing*. The rejection of claim 1 clearly sets forth that Strathmeyer anticipates the functions of this system for facilitating speed dialing. For clarity, the softswitch (125) and its associated interface with gateway (120) correspond to a *control system* and its *associated communication interface*. Therefore, Strathmeyer anticipates all limitations of the claim.

Claims 13-19 are limited to essentially the same subject matter as claims 2-8, as covered by Strathmeyer, respectively, and are rejected for the same reasons.

Claim 20 is limited to a system for facilitating speed dialing. The rejection of claim 9 clearly sets forth that Strathmeyer anticipates the functions of this system for facilitating speed dialing. For clarity, the gateway (120) and its associated interface with both the PSTN (115) and internal network domain (170) correspond to a *control system* associated with its *Internet Protocol communication interface* and its *traditional telephony interface*. Therefore, Strathmeyer anticipates all limitations of the claim.

Claims 21 and 22 are limited to essentially the same subject matter as claims 10 and 11, as covered by Strathmeyer, respectively, and are rejected for the same reasons.

Claims 23, 24, and 26-29 are limited to essentially the same subject matter as claims 1, 2, 4-6 and 8, as covered by Strathmeyer, respectively, and are rejected for the same reasons.

Claim 25 is limited to *the method of claim 24*, as covered by Strathmeyer. In one example, any of callers (110A), (110B) or (110C) is using an SIP telephone, such that an initial session initiation request is generated by the phone directly and without conversion between a circuit and packet switched network domain, i.e. *wherein the initial session initiation request is received over an Internet Protocol based network from the telephony device*. See paragraph 34. Therefore, Strathmeyer anticipates all limitations of the claim.

Claim 30 is limited to *a system for facilitating speed dialing*. The rejection of claim 23 clearly sets forth that Strathmeyer anticipates the functions of this system for facilitating speed dialing. For clarity, the softswitch (125) and its associated interface with gateway (120) correspond to a *control system* and its *associated communication interface*. Therefore, Strathmeyer anticipates all limitations of the claim.

Claims 31-36 are limited to essentially the same subject matter as claims 24-29, as covered by Strathmeyer, respectively, and are rejected for the same reasons.

Claim 37 is limited to a system for facilitating speed dialing. The rejection of claim 23 clearly sets forth that Strathmeyer anticipates the functions of this system for

facilitating speed dialing. For clarity, the gateway (120) and its associated interface with both the PSTN (115) and internal network domain (170) correspond to a *control system* associated with its *Internet Protocol communication interface* and its *traditional telephony interface*. Therefore, Strathmeyer anticipates all limitations of the claim.

Claim 38 is limited to essentially the same subject matter as claim 26, as covered by Strathmeyer, and is rejected for the same reasons.

Claim 39 is limited to *the method of claim 37*, as covered by Strathmeyer. Strathmeyer clearly depicts in figure 1 receiving a dialed telephone number from a caller over the PSTN using an analog telephone, inherently requiring that the telephone number, i.e. *speed dial code*, is received in the form of *dialed digits* over a *traditional telephony line*. See paragraph 34. Therefore, Strathmeyer anticipates all limitations of the claim.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Walter F Briney III whose telephone number is 571-272-7513. The examiner can normally be reached on M-F 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2644

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WFB
4/12/05



SINH TRAN
SUPERVISORY PATENT EXAMINER